



1 ***-0517/P1.9128* SECTION 9128. Nonstatutory provisions; judicial**
2 **commission.**

3 ***-1377/3.9129* SECTION 9129. Nonstatutory provisions; justice.**

4

5 ***-1734/1.9130* SECTION 9130. Nonstatutory provisions; legislature.**

6 ***-1734/1.9130* (1) APPROPRIATION LAPSES AND REESTIMATES.**

7 (a) In this subsection, "state operations" means all purposes except aids to
8 individuals and organizations and local assistance.

9 (b) The cochairpersons of the joint committee on legislative organization shall
10 take actions during the 2005-07 fiscal biennium to ensure that from general purpose
11 revenue appropriations for state operations to the legislature under section 20.765
12 of the statutes, as affected by this act, an amount equal to a total of \$4,675,000 in
13 fiscal year 2005-06 and a total of \$4,675,000 in fiscal year 2006-07 are lapsed from
14 sum certain appropriation accounts or are subtracted from the expenditure
15 estimates for any other types of appropriations, or both.

16 (c) The cochairpersons of the joint committee on legislative organization shall
17 take actions during the 2005-07 fiscal biennium to ensure that the authorized FTE
18 positions for the legislature are decreased by a total of 38.0 FTE positions from the
19 FTE position level that is authorized for the legislature on the effective date of this
20 subsection.

21 ***b0042/1.1* (2q) AUDIT OF ELECTIONS BOARD INFORMATION TECHNOLOGY**
22 DEVELOPMENT PROJECTS. The joint legislative audit committee is requested to direct
23 the legislative audit bureau to conduct a performance evaluation audit of the most
24 recent information technology development projects undertaken by the elections
25 board, including the project to create a statewide voter registration system and the

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1 project to create a State of Wisconsin Elections Board Information System. If the
2 audit is performed, the bureau is requested to file a report of its findings as provided
3 in section 13.94 (1) (b) of the statutes.

4 ***-0517/P1.9131* SECTION 9131. Nonstatutory provisions; lieutenant**
5 **governor.**

6 ***-0517/P1.9132* SECTION 9132. Nonstatutory provisions; lower**
7 **Wisconsin state riverway board.**

8 ***-0517/P1.9133* SECTION 9133. Nonstatutory provisions; Medical**
9 **College of Wisconsin.**

10 ***-0517/P1.9134* SECTION 9134. Nonstatutory provisions; military**
11 **affairs.**

12 ***-0383/5.9135* SECTION 9135. Nonstatutory provisions; natural**
13 **resources.**

14 ***b0162/2.2* (2e) STUDY OF CLADAPHORA IN LAKE MICHIGAN.** The department of
15 natural resources shall make a grant of \$25,000 during the 2005-07 fiscal biennium
16 from the appropriation account under section 20.370 (4) (mq) of the statutes to
17 Manitowoc County for a study of Cladophora algae in Lake Michigan at Hika Bay.
18 The study may include monitoring of Fischer Creek and Point Creek in Manitowoc
19 County.

20 ***-1258/5.9135* (3) TURKEY HUNTING APPROVALS; RULES.** Using the procedure
21 under section 227.24 of the statutes, the department of natural resources may
22 promulgate rules implementing section 29.164 of the statutes, as affected by this act,
23 for the period before the date on which permanent rules take effect, but not to exceed
24 the period authorized under section 227.24 (1) (c) and (2) of the statutes.
25 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department

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1 of natural resources is not required to provide evidence that promulgating a rule
2 under this subsection as an emergency rule is necessary for the preservation of the
3 public peace, health, safety, or welfare and is not required to provide a finding of
4 emergency for a rule promulgated under this subsection.

5 *b0097/1.2* (4q) HUNTER EDUCATION; RULES. Using the procedure under section
6 227.24 of the statutes, the department of natural resources may promulgate the rule
7 required under section 29.591 (3) of the statutes, as affected by this act, for the period
8 before the date on which the permanent rule takes effect, but not to exceed the period
9 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
10 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural
11 resources is not required to provide evidence that promulgating a rule under this
12 subsection as an emergency rule is necessary for the preservation of the public peace,
13 health, safety, or welfare and is not required to provide a finding of emergency for a
14 rule promulgated under this subsection.

15 *b0137/3.11* (5q) SUBMISSION OF PLAN CONCERNING CERTAIN PUBLIC LANDS. No
16 later than February 1, 2006, the department of natural resources shall submit to the
17 governor and to the members of the joint committee on finance a plan that addresses
18 all of the following:

19 (a) The sales status, as of December 31, 2005, of all public lands subject to
20 purchase by the state under section 24.59 (1) of the statutes, as created by this act.

21 (b) The department of natural resource's long term acquisition, retention, and
22 disposal plan for land purchased by the state under section 24.59 (1) of the statutes,
23 as created by this act.

24 (c) Identification of those lands purchased by the state under section 24.59 (1)
25 of the statutes, as created by this act, that the department of natural resources

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determines can be incorporated into its land and forestry programs and activities and identification of those lands that it determines cannot be incorporated into its land and forestry programs and activities. If the department of natural resources identifies lands that it cannot incorporate into its land and forestry programs and activities, it shall identify which of these lands might be appropriate for sale to local units of government.

b0163/1.12 (4k) AIR PERMIT REPORT. No later than December 15, 2006, the department of natural resources shall submit a report to the joint committee on finance that does all of the following:

(a) Describes the department's progress on implementing changes in the air pollution permitting program made by 2003 Wisconsin Act 118 and on the development of an information technology system for the air pollution permitting program.

(b) States the number of sources for which operation permits are required under section 285.60 of the statutes but not federal law that are covered by registration permits, general permits, and operation permits that are not registration permits or general permits.

(c) States, for sources for which operation permits are required under section 285.60 of the statutes but not federal law, the average number of days from receipt of a complete application until the department issues a determination of coverage under a registration permit, the average number of days from receipt of a complete application until the department issues a determination of coverage under a general permit, and the average number of days from receipt of a complete application until issuance of an operation permit that is not a registration permit or general permit.

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1 (d) Includes an analysis of the costs of the air pollution permitting program and
2 the revenues necessary to run the program after the changes described in paragraph
3 (a) are fully implemented.

4 *b0242/1.2* (4w) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The
5 department of natural resources shall provide in fiscal year 2005–06, from the
6 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act,
7 \$250,000 to the Southeastern Wisconsin Fox River commission. The commission
8 may use this funding for activities that are required or authorized under subchapter
9 VI of chapter 33 of the statutes and that are consistent with the commission's
10 implementation plan. The activities for which this funding is utilized may include
11 the activities required under section 33.56 (1), (2), and (3) of the statutes.

12 *b0243/1.1* (5c) MARSH RESTORATION. The department of natural resources
13 shall identify 10 state-owned wildlife wetland areas in the state that are critical to
14 waterfowl breeding, production, staging, and hunting. By August 30, 2006, the
15 department of natural resources shall prepare and submit a qualitative and
16 quantitative baseline assessment of the identified marshes, describing the
17 vegetation, wildlife use, water quality, water chemistry, hunting success, and public
18 use to the appropriate standing committees of the legislature in the manner provided
19 under section 13.172 (3) of the statutes and to the members of the joint committee
20 on finance. The department of natural resources shall develop marsh restoration
21 goals based on the findings included in the assessment and include a proposal to
22 contract with nongovernmental agencies to meet those goals in its 2007–09 budget
23 submittal to the governor.

24 *b0270/5.11* (4p) EMERGENCY RULES FOR FEES FOR MANAGED FOREST LAND PLANS.
25 Using the procedure under section 227.24 of the statutes, the department of natural

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resources shall promulgate the rule required under section 77.82 (2m) (am) of the statutes, as created by this act, for the period before the effective date of the permanent rule promulgated under section 77.82 (2m) (am) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

b0270/5.11 (5p) PAPER INDUSTRY HALL OF FAME. From the appropriation under section 20.370 (5) (ax) of the statutes, as affected by this act, the department of natural resources shall provide \$100,000 in fiscal year 2006–07 to the Paper Industry International Hall of Fame, Inc., in the city of Appleton for the development and operation of an exhibit in the hall known as the Paper Discovery Center.

b0270/5.11 (6p) MECHANIZED EQUIPMENT TRAINING PROGRAM. From the appropriation under section 20.370 (5) (ax) of the statutes, as affected by this act, the department of natural resources shall provide \$150,000 in fiscal year 2005–06 and \$50,000 in fiscal year 2006–07 to the North Central Technical College to initiate a program, designed in collaboration with the Fox Valley Technical College, to train students to use mechanized equipment for the harvesting of timber. ✓

-0517/P1.9136 SECTION 9136. Nonstatutory provisions; public defender board.

-1588/4.9137 SECTION 9137. Nonstatutory provisions; public instruction.

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1 ***b0289/1.1*** (3m) OPEN ENROLLMENT PROGRAM. By March 1, 2006, the
2 department of public instruction shall submit to the governor and the joint
3 committee on finance a report on the feasibility and cost of developing and
4 implementing a statewide Internet-based application and reporting system for the
5 open enrollment program under section 118.51 of the statutes.

6 ***b0388/2.2*** (2q) SPECIAL EDUCATION STUDIES.

7 (a) The department of public instruction shall complete a study concerning the
8 distribution of special education aid on a census basis rather than a cost
9 reimbursement basis, and, by December 1, 2006, submit the study and the
10 department's recommendations to the joint committee on finance.

11 (b) The joint legislative council is requested to study the effectiveness of this
12 state's special education policy and funding, including a review of statewide data and
13 historical trends, an examination of funding sources, and a survey of national reform
14 efforts. If the joint legislative council conducts the study, the joint legislative council
15 shall report its findings, conclusions, and recommendations to the legislature in the
16 manner provided under section 13.172 (2) of the statutes by January 1, 2007.

17 ***b0415/2.5*** (3q) SECOND CHANCE PARTNERSHIP. From the appropriation under
18 section 20.255 (2) (cf) of the statutes, as affected by this act, the department of public
19 instruction shall pay \$190,000 in each of the 2005-06 and 2006-07 fiscal years to the
20 Second Chance Partnership, a nonprofit corporation, to create a pilot work-based
21 learning program in which children at risk participate in apprenticeships while
22 earning high school diplomas. No more than 32 pupils may participate in the
23 program.

24 ***b0416/2.2*** (2n) EDUCARE CENTER OF MILWAUKEE. From the appropriation
25 under section 20.255 (2) (bc) of the statutes, as affected by this act, the department

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1 of public instruction shall allocate \$250,000 in the 2005-06 school year and \$750,000
2 in the 2006-07 school year to the Educare Center of Milwaukee and shall reduce the
3 amount of state aid to Milwaukee Public Schools by identical amounts.

4 ***-0517/P1.9138* SECTION 9138. Nonstatutory provisions; public lands,**
5 **board of commissioners of.**

6 ***-0517/P1.9139* SECTION 9139. Nonstatutory provisions; public service**
7 **commission.**

8 ***-0558/P1.9140* SECTION 9140. Nonstatutory provisions; regulation**
9 **and licensing.**

10 ***-0558/P1.9140* (1) CREDENTIAL RENEWAL FEES; RENEWAL DATE CHANGES.** When
11 preparing its recommendations under section 440.03 (9) (b) of the statutes for
12 changes to fees under section 440.08 (2) (a) of the statutes for credential renewals in
13 the 2007-09 biennium, the department of regulation and licensing shall consider
14 whether to reduce or increase the fees based on the changes to the renewal deadlines
15 made by this act.

16 ***b0088/P1.2* (2e) CREDENTIAL RENEWAL FEES FOR 2007-09 BIENNIUM; TIMEKEEPING**
17 **DATA.** In preparing its recommendations under section 440.03 (9) (b) of the statutes
18 for changes to fees under section 440.08 (2) of the statutes for credential renewals in
19 the 2007-09 biennium, the department of regulation and licensing shall utilize
20 timekeeping data tracking the allocation of staff hours to administrative and
21 enforcement activities relating to each regulated profession from the 2 most recent
22 years in which the department collected the timekeeping data for the entire year.

23 ***b0088/P1.2* (3b) CREDENTIAL RENEWAL FEES FOR 2009-11 BIENNIUM; TIMEKEEPING**
24 **DATA.** In preparing its recommendations under section 440.03 (9) (b) of the statutes
25 for changes to fees under section 440.08 (2) of the statutes for credential renewals in

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1 the 2007-09 biennium, the department of regulation and licensing shall utilize
2 timekeeping data tracking the allocation of staff hours to administrative and
3 enforcement activities relating to each regulated profession from the 4 most recent
4 years in which the department collected timekeeping data for the entire year.

5 *b0120/3.8* (1m) INITIAL APPOINTMENTS; CEMETERY BOARD. Notwithstanding
6 section 15.405 (3m) of the statutes, as created by this act, the initial term of 2 of the
7 initial members of the cemetery board shall be one year, the initial term of 2 of the
8 initial members shall be 2 years, and the initial term of 2 of the initial members shall
9 be 3 years.

10 *b0120/3.8* (1p) RULES AND ORDERS; CEMETERY BOARD. All rules promulgated,
11 and all orders issued, by the department of regulation and licensing relating to
12 cemeteries that are in effect on the effective date of this subsection shall become rules
13 of the cemetery board and shall remain in effect until their specified expiration dates
14 or until amended, repealed, or rescinded by the cemetery board.

15 *b0246/2.6* (1q) RULES FOR ALCOHOL AND OTHER DRUG ABUSE COUNSELORS;
16 STANDARDS AND QUALIFICATIONS. Using the procedure under section 227.24 of the
17 statutes, the department of regulation and licensing shall promulgate the rules
18 required under section 440.75 (2) of the statutes, as created by this act, for the period
19 before the effective date of the permanent rules promulgated under section 440.75
20 (2) of the statutes, as created by this act, but not to exceed the period authorized
21 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24
22 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide
23 evidence that promulgating a rule under this subsection as an emergency rule is
24 necessary for the preservation of the public peace, health, safety, or welfare and is

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1 not required to provide a finding of emergency for a rule promulgated under this
2 subsection.

3 ***b0246/2.6*** (1r) ALCOHOL AND OTHER DRUG ABUSE COUNSELOR CERTIFICATION;
4 REVIEW OF COSTS. The department of regulation and licensing shall review actual
5 administration and enforcement costs for renewals of certification for alcohol and
6 other drug abuse counselors and, in light of those costs, as part of the department's
7 biennial budget request for 2007–09, shall recommend any appropriate revised
8 renewal fee for the certification.

9 ***-0302/4.9141* SECTION 9141. Nonstatutory provisions; revenue.**

10 ***-0302/4.9141***(1) INTERNAL REVENUE CODE. Changes to the Internal Revenue
11 Code made by P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,
12 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.
13 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,
14 apply to the definitions of “Internal Revenue Code” in chapter 71 of the statutes at
15 the time that those changes apply for federal income tax purposes.

16 ***b0370/3.9*** (1n) DEPARTMENT OF REVENUE STUDY; UTILITY LICENSE FEES. No later
17 than December 31, 2005, the department of revenue shall convene a study group to
18 assess the feasibility and desirability of imposing local general property taxes or
19 their equivalent on all distribution property of electric cooperatives, municipal
20 utilities, and light, heat, and power companies. The study group shall include
21 residents of communities that host public utility property; representatives of electric
22 cooperatives, municipal utilities, and light, heat, and power companies; members of
23 the public who have expertise in the taxation of power plant and transmission line
24 siting; and any other individuals who the department of revenue believes to have
25 expertise related to the study. No later than May 1, 2006, the study group shall


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1 report its findings and recommendations to the legislature under section 13.172 (2)
2 of the statutes.

3 ***-0517/P1.9142* SECTION 9142. Nonstatutory provisions; secretary of**
4 **state.**

5 ***-0517/P1.9143* SECTION 9143. Nonstatutory provisions; state**
6 **employment relations, office of.**

7 
8 ***-0517/P1.9144* SECTION 9144. Nonstatutory provisions; state fair park**
9 **board.**

10 ***b0207/3.1* (1f) STATE FAIR PARK BOARD EXPENDITURE PLAN.**

11 (a) The state fair park board may not expend more than \$12,950,600 from the
12 appropriation under section 20.190 (1) (h) of the statutes in fiscal year 2006–07
13 except as authorized under this subsection.

14 (b) The state fair park board may submit a plan for expending more than
15 \$12,950,600 from the appropriation under section 20.190 (1) (h) of the statutes in
16 fiscal year 2006–07 to the secretary of administration. The secretary may submit the
17 plan, as submitted by the board or as modified, to the joint committee on finance by
18 the date specified by the cochairpersons of the committee for submission of requests
19 for consideration at the 2nd quarterly meeting of the committee under section 13.10
20 of the statutes in 2006.

21 (c) If the secretary of administration submits a plan under paragraph (b) and
22 the cochairpersons of the joint committee on finance do not notify the secretary
23 within 14 working days after the date of the submittal that the committee has
24 scheduled a meeting to review the plan, the state fair park board may implement the
25 plan. If the secretary of administration submits a plan under paragraph (b) and the

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1 cochairpersons of the joint committee on finance notify the secretary within 14
2 working days after the date of the submittal that the committee has scheduled a
3 meeting to review the plan, the state fair park board may not implement the plan
4 until the committee approves the plan, as submitted or modified.

5 ***-1230/1.9145* SECTION 9145. Nonstatutory provisions; supreme court.**

6 ***-1230/1.9145*** (1) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of
7 the supreme court, acting as the administrative head of the judicial system, shall
8 take actions during the 2005-07 fiscal biennium to ensure that from general purpose
9 revenue appropriations for state operations to the circuit courts under section 20.625
10 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the
11 supreme court under section 20.680 of the statutes, an amount equal to \$1,300,000
12 is lapsed from sum certain appropriation accounts or is subtracted from the
13 expenditure estimates for any other types of appropriations, or both.

14 ***-0517/P1.9146* SECTION 9146. Nonstatutory provisions; technical**
15 **college system.**

16 ***b0128/2.18*** (1q) TECHNICAL PREPARATION PROGRAM.

17 (a) The authorized FTE positions for the technical college system board are
18 increased by 4.6 FED positions, to be funded from the appropriation under section
19 20.292 (1) (m) of the statutes, for the purpose of administering the technical
20 preparation program under section 38.40 (1m) (a) of the statutes, as created by this
21 act.

22 (b) The authorized FTE positions for the technical college system board are
23 increased by 3.2 PR positions, to be funded from the appropriation under section
24 20.292 (1) (kx) of the statutes, as affected by this act, for the purpose of administering

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1 the technical preparation program under section 38.40 (1m) (a) of the statutes, as
2 created by this act.

3 *b0201/1.1* (1f) CRIME PREVENTION CENTER. The technical college system board
4 shall allocate \$55,000 in the 2005–06 fiscal year and \$35,000 in the 2006–07 fiscal
5 year from the appropriation under section 20.292 (1) (dc) of the statutes for incentive
6 grants to Fox Valley Technical College for a crime prevention center. ✓

7 *-0517/P1.9147* SECTION 9147. Nonstatutory provisions; tourism.

8 *-1394/1.9148* SECTION 9148. Nonstatutory provisions; transportation.

9 *-1394/1.9148* (1) ELECTRONIC PROCESSING OF TITLE AND REGISTRATION
10 APPLICATIONS. The department of transportation may, prior to June 30, 2007, require
11 certain motor vehicle dealers to electronically process all applications for motor
12 vehicle title and registration submitted under section 342.16 (1) (a) of the statutes.

13 *b0407/2.1* (1n) DIRECTIONAL SIGNS. Notwithstanding regulations prescribed
14 under section 86.19 (2) of the statutes, the department of transportation shall, in the
15 2005–07 biennium, erect the following:

16 (a) Directional signs along I 90 in La Crosse County for the Shrine of Our Lady
17 of Guadalupe.

18 (b) Directional signs along USH 151 in the vicinity of STH 33 for Wayland
19 Academy located in Beaver Dam in Dodge County.

20 (c) Directional signs along I 94 in Waukesha County for the Waukesha County
21 Historical Society and Museum.

22 *-1557/2.9148* (2) HARBOR ASSISTANCE PROGRAM.

23 (a) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of
24 the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as
25 affected by this act, the department of transportation shall award a grant under

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1 section 85.095 (2) (a) of the statutes of \$6,000,000 in the 2005-07 fiscal biennium to
2 a city in northeastern Wisconsin that has a harbor facility for the purpose of
3 constructing new boatlift facilities or improving existing boatlift facilities that serve
4 or will serve at least 2 commercial enterprises that enhance economic development
5 and will provide at least 600 new jobs in this state.

6 (b) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of
7 the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as
8 affected by this act, the department of transportation shall award a grant under
9 section 85.095 (2) (a) of the statutes of \$2,100,000 in the 2005-07 fiscal biennium for
10 a boat slip repair and reconstruction project in northeastern Wisconsin if the project
11 is necessary to retain at least 2,500 jobs in this state.

12 *b0375/1.2* (c) Notwithstanding any limitation specified in section 85.095 (2)
13 (b) of the statutes, from the appropriation under section 20.866 (2) (uv) of the
14 statutes, as affected by this act, the department of transportation shall award a grant
15 under section 85.095 (2) (a) of the statutes of \$1,600,000 in the 2005-07 fiscal
16 biennium for the construction of a dockwall in the city of Marinette at the Waupaca
17 Foundry.

18 *b0365/1.2* (2q) FREIGHT RAIL PRESERVATION PROGRAM. In the 2005-07 fiscal
19 biennium, from the public debt contracted under section 20.866 (2) (uw) of the
20 statutes, the department of transportation shall allocate \$5,000,000 annually for rail
21 rehabilitation projects and \$1,000,000 annually for rail bridge projects. ✓

22 *b0380/4.12* (4f) AGENCY REQUEST RELATING TO MARQUETTE INTERCHANGE
23 RECONSTRUCTION PROJECT BONDING. Notwithstanding section 16.42 (1) of the statutes,
24 in submitting information under section 16.42 of the statutes for purposes of the
25 2007-09 biennial budget act, the department of transportation shall include

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recommended reductions to the appropriation under section 20.395 (3) (cr) of the statutes for each fiscal year of the 2007–09 fiscal biennium reflecting the transfer from this appropriation account to the appropriation account under section 20.395 (6) (au) of the statutes, as created by this act, of amounts for anticipated debt service payments, in each fiscal year of the 2007–09 fiscal biennium, on general obligation bonds issued under section 20.866 (2) (uup) of the statutes, as created by this act.

b0401/6.1 (4w) PASSENGER RAIL SERVICE.

(a) The department of transportation may submit, in each fiscal year of the 2005–07 biennium, a request to the joint committee on finance to supplement the appropriation under section 20.395 (2) (cr) of the statutes by up to \$572,700 in fiscal year 2005–06 and up to \$629,900 in fiscal year 2006–07 from the appropriation account under section 20.865 (4) (u) of the statutes for passenger rail service. Any request submitted under this paragraph shall be submitted by the due date for agency requests for the joint committee on finance’s second quarterly meeting under section 13.10 of the statutes of the year in which the request is made. The committee may supplement the appropriation under section 20.395 (2) (cr) of the statutes by up to \$572,700 in fiscal year 2005–06 and up to \$629,900 in fiscal year 2006–07 from the appropriation account under section 20.865 (4) (u) of the statutes for passenger rail service and, notwithstanding section 13.101 (3) of the statutes, the committee is not required to find that an emergency exists prior to making the supplementation.

(b) If the joint committee on finance determines that the moneys provided under section 20.395 (2) (cr) and (cx) of the statutes are sufficient for passenger rail service in any fiscal year of the 2005–07 biennium, the committee may:

1. Supplement, by up to to \$572,700 in fiscal year 2005–06 and up to \$629,900 in fiscal year 2006–07 from the appropriation account under section 20.865 (4) (u) of

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1 the statutes, other department of transportation appropriations. Notwithstanding
2 section 13.101 (3) of the statutes, the committee is not required to find that an
3 emergency exists prior to making the supplementation.

4 2. Transfer moneys from the appropriation account under section 20.395 (2)
5 (cx) of the statutes that are not needed for passenger rail services to other
6 department of transportation appropriations. Notwithstanding section 13.101 (4) of
7 the statutes, the committee is not required to find, prior to making the transfer, that
8 unnecessary duplication of functions can be eliminated, more efficient and effective
9 methods for performing programs will result, or legislative intent will be more
10 effectively carried out because of such transfer.

11 (c) If the committee approves a supplement under paragraph (a), the committee
12 may supplement, by the amount by which the supplement it approves under
13 paragraph (a) is less than \$572,700 in fiscal year 2005-06 or \$629,900 in fiscal year
14 2006-07, other department of transportation appropriations. Notwithstanding
15 section 13.101 (3) of the statutes, the committee is not required to find that an
16 emergency exists prior to making the supplementation.

17 (d) If, in considering a request made under paragraph (a), the joint committee
18 on finance determines that \$572,700 in fiscal year 2005-06 or \$629,900 in fiscal year
19 2006-07 is not sufficient to fund passenger rail service, the committee may
20 supplement the appropriation account under section 20.395 (2) (cr) of the statutes,
21 from the appropriation under section 20.865 (4) (u) of the statutes, by an amount that
22 would not cause the transportation fund to have a negative balance.
23 Notwithstanding section 13.101 (3) of the statutes, the committee is not required to
24 find that an emergency exists prior to making the supplementation.

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1 ***b0403/1.1*** (3s) SUGAR RIVER STATE TRAIL UNDERPASS. In the 2005–07
2 biennium, the Department of Transportation shall construct an underpass for the
3 Sugar River State Trail at the intersection of the trail with STH 69 in the village of
4 New Glarus in Green County when the Department of Transportation rehabilitates
5 that section of STH 69.

6 ***b0404/1.1*** (3t) SAFETY IMPROVEMENT STUDY. In the 2005–07 biennium, the
7 department of transportation shall conduct an engineering study of the segment of
8 STH 58 in Sauk County between the Sauk County/Richland County line and CTH
9 G to determine ways to improve public safety on that segment of STH 58. The
10 department of transportation shall make any changes recommended in the study to
11 improve public safety in the segment of STH 58 in Sauk County between the Sauk
12 County/Richland County line and CTH G.

13 ***b0406/2.2*** (3f) CASSVILLE FERRY GRANT. The department of transportation
14 shall award a grant of \$30,000 annually in the 2005–07 biennium from the
15 appropriation account under section 20.395 (3) (eq) of the statutes to the operator of
16 the Cassville Mississippi River Ferry for the operations costs of the ferry.

17 ***b0409/2.1*** (6n) EISNER AVENUE PROJECT IN SHEBOYGAN COUNTY.
18 Notwithstanding limitations on the amount and use of aids provided under section
19 86.31 of the statutes, as affected by this act, or on eligibility requirements for
20 receiving aids under section 86.31 of the statutes, as affected by this act, the
21 department of transportation shall award a grant of \$500,000 in the 2005–07 fiscal
22 biennium to the city of Sheboygan in Sheboygan County for the rehabilitation of
23 Eisner Avenue in Sheboygan County if the city of Sheboygan and the town of
24 Sheboygan in Sheboygan County reach an agreement on the amount of funds to be
25 contributed by each toward the total local share of the project costs. Payment of the

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1 grant under this subsection shall be made from the appropriation under section
2 20.395 (2) (ft) of the statutes, as created by this act, equally from funds allocated
3 under section 86.31 (3m) of the statutes, as affected by this act, and from funds
4 allocated under section 86.31 (3r) of the statutes, as affected by this act, and is in
5 addition to the city of Sheboygan's entitlement, as defined in section 86.31 (1) (ar) of
6 the statutes, to aids under section 86.31 of the statutes, as affected by this act.

7 *b0410/1.1* (5f) VILLAGE OF OREGON STREETSCAPING PROJECT. In the 2005–07
8 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes,
9 the department of transportation shall award a grant under section 85.026 (2) of the
10 statutes of \$484,000 to the village of Oregon in Dane County for a streetscaping
11 project on Main Street and Janesville Street in the village of Oregon if the village of
12 Oregon contributes funds for the project that at least equal 20 percent of the costs
13 of the project.

14 *b0410/1.1* (5g) CHIPPEWA COUNTY CROSSING AND RAMP. In the 2005–07 fiscal
15 biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the
16 department of transportation shall award a grant under section 85.026 (2) of the
17 statutes of \$80,000 to Chippewa County for the construction of a pedestrian–railroad
18 crossing and handicap–accessible ramp related to the Ray's Beach revitalization
19 project on Lake Wissota in Chippewa County if Chippewa County contributes funds
20 for the project that at least equal 20 percent of the costs of the project.

21 *b0410/1.1* (5h) VILLAGE OF WESTON BICYCLE–PEDESTRIAN BRIDGE. In the
22 2005–07 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the
23 statutes, the department of transportation shall award a grant under section 85.026
24 (2) of the statutes of \$480,000 to the village of Weston in Marathon County for the
25 construction of a bicycle–pedestrian bridge over STH 29 adjacent to Birch Street and

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1 the Weston Regional Medical Center in the village of Weston if the village of Weston
2 contributes funds for the project that at least equal 20 percent of the costs of the
3 project.

4 ***b0411/1.1* (7f) REQUEST FOR ENGINEERING POSITIONS TRANSFER FOR 2006–07.** The
5 department of transportation may submit a request to the joint committee on finance
6 under section 13.10 of the statutes to reallocate not more than 6.0 engineering
7 positions in fiscal year 2006–07 to other position types that support the department
8 of transportation's highway delivery functions.

9 ***-0517/P1.9149* SECTION 9149. Nonstatutory provisions; treasurer.**

10 ***-0517/P1.9150* SECTION 9150. Nonstatutory provisions; University of**
11 **Wisconsin Hospitals and Clinics Authority.**

12 ***-0517/P1.9151* SECTION 9151. Nonstatutory provisions; University of**
13 **Wisconsin Hospitals and Clinics Board.**

14 ***-1606/1.9152* SECTION 9152. Nonstatutory provisions; University of**
15 **Wisconsin System.**

16 ***-1606/1.9152* (1) OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TESTING.**

17 (a) *Positions and employees.*

18 1. The authorized FTE positions for the department of health and family
19 services, funded from the appropriations under section 20.435 (1) (a), (gm), and (m)
20 of the statutes, as affected by this act, are decreased by 9.5 FTE positions, for the
21 purpose of providing occupational safety and health administration testing.

22 3. The authorized FTE positions for the state laboratory of hygiene, funded
23 from the appropriation under section 20.285 (1) (fd) of the statutes, are increased by
24 0.95 FTE position, for the purpose of providing occupational safety and health
25 administration testing.

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1 4. The authorized FTE positions for the state laboratory of hygiene, funded
2 from the appropriation under section 20.285 (1) (i) of the statutes, are increased by
3 0.5 FTE position, for the purpose of providing occupational safety and health
4 administration testing.

5 5. The authorized FTE positions for the state laboratory of hygiene, funded
6 from the appropriation under section 20.285 (1) (m) of the statutes, are increased by
7 11.5 FTE positions, for the purpose of providing occupational safety and health
8 administration testing.

9 6. All incumbent employees in the department of health and family services
10 who perform occupational safety and health administration testing are transferred
11 on the effective date of this subdivision to the state laboratory of hygiene. Employees
12 transferred under this subdivision have all the rights and the same status under
13 subchapter V of chapter 111 and chapter 230 of the statutes in the employment
14 commission that they enjoyed before the transfer. Notwithstanding section 230.28
15 (4) of the statutes, no employee so transferred who has attained permanent status
16 in class must serve a probationary period.

17 (b) *Tangible personal property.* On the effective date of this paragraph, all
18 tangible personal property, including records, that relates to occupational safety and
19 health administration testing of the department of health and family services is
20 transferred to the state laboratory of hygiene.

21 (c) *Contracts.* All contracts entered into by the department of health and family
22 services that relate to occupational safety and health administration testing and
23 that are in effect on the effective date of this paragraph remain in effect and are
24 transferred to the state laboratory of hygiene. The state laboratory of hygiene shall

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1 carry out any obligations under such a contract until the state laboratory of hygiene
2 modifies or rescinds the contract to the extent allowed.

3 ***-1839/1.9152*** (3) PLAN TO ELIMINATE POSITIONS. By May 30, 2006, the Board
4 of Regents of the University of Wisconsin System shall submit to the secretary of
5 administration for his or her approval a plan to eliminate 200 administrative
6 positions within the University of Wisconsin System, specified by position
7 classification and location. Notwithstanding section 16.505 (2p) of the statutes, the
8 Board of Regents of the University of Wisconsin System may not during the 2006-07
9 fiscal year create any full-time equivalent academic staff or faculty positions from
10 revenues appropriated under section 20.285 (1) (a) of the statutes until the secretary
11 of administration approves the plan.

12 ***-1866/1.9152*** (4) ALLOCATION OF FUNDS. Of moneys appropriated under *\$105,000 For the University of Wisconsin-
Fox Valley engineering initiative and \$500,000*
13 section 20.285 (1) (a) of the statutes for the 2006-07 fiscal year, the Board of Regents
14 of the University of Wisconsin System shall allocate \$1,111,400 for implementing the
15 recommendations of the committee on baccalaureate expansion. Of moneys
16 appropriated under section 20.285 (1) (a) of the statutes for both the 2005-06 and
17 2006-07 fiscal years, the Board of Regents shall allocate \$378,300 for the University
18 of Wisconsin-Rock County engineering initiative.

19 ***-1513/6*** (5) SALE OF REAL PROPERTY. If the Board of Regents of the University
20 of Wisconsin System sells any real property under its jurisdiction prior to July 1,
21 2007, the board shall credit the net proceeds of the sale to the appropriation account
22 under section 20.285 (1) (iz) of the statutes, except that if there is any outstanding
23 public debt used to finance the acquisition, construction, or improvement of any
24 property that is sold, the board shall deposit a sufficient amount of the net proceeds
25 from the sale of the property in the bond security and redemption fund under section

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1 18.09 of the statutes to repay the principal and pay the interest on the debt, and any
2 premium due upon refunding any of the debt. If the property was acquired,
3 constructed, or improved with federal financial assistance, the board shall pay to the
4 federal government any of the net proceeds required by federal law. If the property
5 was acquired by gift or grant or acquired with gift or grant funds, the board shall
6 adhere to any restriction governing use of the proceeds.

7 *b0260/2.1* (6q) ENERGY COSTS STUDY. By January 1, 2006, the Board of
8 Regents of the University of Wisconsin System and the department of
9 administration shall submit a joint report to the building commission concerning the
10 apportionment of energy costs for buildings used, owned, or leased by the University
11 of Wisconsin System, including the allocation of federal and private funding for
12 energy costs.

13 *b0262/1.1* (7f) COLLABORATION STUDY. By March 1, 2006, the Board of Regents
14 of the University of Wisconsin System shall submit a report to the joint committee
15 on finance and to the standing committees on higher education in the assembly and
16 the senate on possible collaborative efforts between the University of
17 Wisconsin-Superior and the University of Minnesota-Duluth. The study shall
18 include all of the following:

19 (a) An analysis of the Tri-College University program involving North Dakota
20 State University, Minnesota State University at Moorhead, and Concordia College
21 in Moorhead, Minnesota, and a consideration of similar models of collaboration
22 among public universities.

23 (b) An identification of opportunities for operational cooperation or
24 consolidation that would save money for taxpayers and students.

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1 (c) A determination of whether the 2 universities might benefit from
2 coordinated marketing efforts.

3 (d) An examination of whether coordination and cooperation between the 2
4 universities would increase educational offerings for their students.

5 ***b0264/1.1*** (8q) STUDY ON JOINT ACADEMIC PROGRAMS. By January 1, 2007, the
6 Board of Regents of the University of Wisconsin System and the Board of Trustees
7 of the Medical College of Wisconsin shall submit a report to the joint committee on
8 finance on the feasibility of creating joint academic programs that would reduce
9 worker shortages in fields that are critical to the economic development of
10 southeastern Wisconsin and that would establish national leadership in academic
11 areas. If the cochairpersons of the committee do not notify the Board of Regents and
12 the Board of Trustees within 14 working days after the date of the report's submittal
13 that the committee has scheduled a meeting to review the proposed joint academic
14 programs, the joint academic programs may be implemented as proposed. If, within
15 14 working days after the date of the report's submittal, the cochairpersons of the
16 committee notify the Board of Regents and the Board of Trustees that the committee
17 has scheduled a meeting to review the proposed joint academic programs, the
18 programs may be implemented only upon the committee's approval.

19 ***b0275/1.1*** (8m) STUDY OF BUILDING PROJECTS. By January 1, 2007, the
20 legislative audit bureau shall determine the scope of building project costs at the
21 University of Wisconsin System and prepare and submit a study to the joint
22 legislative audit committee that compares building project costs at the University of
23 Wisconsin System with building project costs at other public universities.

24 ***b0288/1.1*** (9m) HIGHER EDUCATION COMMITTEE.

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1 (a) There is created a committee to study the public benefits of this state's
2 public system of higher education, to expand baccalaureate degrees for this state's
3 residents, to foster economic development, to provide a research environment to
4 develop intellectual properties, and to assist in the development of new business.
5 The committee shall consist of the president of the University of Wisconsin System,
6 or his or her appointee; the chancellor of the University of Wisconsin System colleges,
7 or his or her appointee; the president of the Wisconsin Technical College System, or
8 his or her appointee; a currently enrolled University of Wisconsin System student;
9 a University of Wisconsin System alumnus, a faculty member, and a chancellor or
10 current regent, all appointed by the president of the University of Wisconsin System;
11 a currently enrolled Wisconsin Technical College System student; a president of a
12 technical college district and a Wisconsin Technical College System board member,
13 both appointed by the president of the Wisconsin Technical College System; a
14 business leader, a former University of Wisconsin System executive officer, and a
15 former regent, all appointed by the president of the University of Wisconsin System;
16 and 4 current legislators, 2 from each party and 2 from both the assembly and senate,
17 appointed by the respective leaders of the senate and assembly. The committee shall
18 elect a chairperson from among its members, who shall call the committee's first
19 meeting.

20 (b) The committee shall complete and submit its study to the joint committee
21 on finance by August 1, 2006. The committee shall ensure that the study does at least
22 all of the following:

23 1. Addresses the issue of how colleges and universities can provide access and
24 quality education for all residents to further their human potential and ensure the
25 state's economic future.

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1 2. Determines the appropriate mixture of funding to support higher education
2 in this state, including the relationship between general purpose revenue, tuition,
3 financial aid, and philanthropic support.

4 3. Continues structural improvements, efficiencies, and economies in such
5 activities as the committee on baccalaureate expansion, integration of
6 administrative structure, and collaborative arrangements between campuses.

7 4. Collaborates among all of this state's key economic, social, and educational
8 entities to achieve the intent of the Wisconsin Idea.

9 (c) The committee terminates upon submission of the study under this
10 subsection.

11 ***b0311/2.1*** (6r) TASK FORCE ON UNIVERSITY OF WISCONSIN-WAUKESHA.

12 (a) There is created a task force to study and develop an implementation plan
13 under paragraph (b) for the transformation of the University of
14 Wisconsin-Waukesha into a campus of the University of Wisconsin-Milwaukee. The
15 task force shall consist of one representative of the University of
16 Wisconsin-Milwaukee, one representative of the University of
17 Wisconsin-Waukesha, one student enrolled at the University of
18 Wisconsin-Milwaukee, and one student enrolled at the University of
19 Wisconsin-Waukesha, all appointed by the University of Wisconsin System
20 president; one representative of the Waukesha County Technical College, appointed
21 by the Technical College System president; 2 representatives of Waukesha County
22 government, one of whom is appointed by the Waukesha county executive and the
23 other of whom is appointed by the Waukesha county board chairperson; and 2
24 representatives of the Waukesha County business community, appointed by the
25 Waukesha county executive. The task force shall select a chairperson.

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1 (b) The implementation plan shall include recommendations regarding all of
2 the following:

3 1. Maintaining the accessibility and affordability mission of the University of
4 Wisconsin-Waukesha.

5 2. Increasing the number of 4-year baccalaureate and the number of graduate
6 degrees awarded by the University of Wisconsin-Waukesha.

7 3. Determining the academic programs necessary to meet the needs of the
8 economy in the area surrounding the University of Wisconsin-Waukesha.

9 4. Addressing issues regarding the assumption of assets and liabilities of the
10 University of Wisconsin-Waukesha.

11 5. Resolving outstanding employment issues.

12 (c) By January 1, 2007, the task force shall submit the plan under paragraph
13 (b) to the joint committee on finance. If the cochairpersons of the committee do not
14 notify the task force within 14 working days after the date of the plan's submittal that
15 the committee has scheduled a meeting to review the plan, the plan may be
16 implemented as proposed. If, within 14 working days after the date of the plan's
17 submittal, the cochairpersons of the committee notify the task force that the
18 committee has scheduled a meeting to review the plan, the plan may be implemented
19 only upon the approval of the committee.

20 (d) The Board of Regents of the University of Wisconsin System shall merge the
21 University of Wisconsin-Waukesha into the campus of the University of
22 Wisconsin-Milwaukee pursuant to a plan approved by the joint committee on
23 finance under paragraph (c), no later than July 1, 2007.

24 ***-0328/4.9153* SECTION 9153. Nonstatutory provisions; veterans**
25 **affairs.**

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1 ***-0328/4.9153*** (1) EDUCATIONAL GRANT PROGRAM EMERGENCY RULES. The
2 department of veterans affairs may promulgate emergency rules under section
3 227.24 of the statutes implementing section 45.25 of the statutes, as affected by this
4 act. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department
5 is not required to provide evidence that promulgating a rule under this subsection
6 as an emergency rule is necessary for the preservation of public peace, health, safety,
7 or welfare and is not required to provide a finding of emergency for a rule
8 promulgated under this subsection.

9 ***b0212/1.3*** (1f) PAYMENT OF CERTAIN TUITION AND PART-TIME CLASSROOM COURSES.
10 From the appropriation account under section 20.485 (2) (tf) of the statutes, the
11 department of veterans affairs may expend not more than \$1,020,000 in fiscal year
12 2005-06 to fund payments under sections 45.25 and 45.396, 2003 stats., for
13 coursework completed before July 1, 2005.

14 ***-0330/P2.9153*** (2) MASSAGE THERAPISTS AND BODYWORKERS.

15 (a) *Definitions.* In this SECTION:

16 1. "Board" means the educational approval board.

17 2. "Department" means the department of regulation and licensing.

18 (b) *Transfer of transitional duties.* Any application received by the board under

19 ***b0315/P1.12*** (1w) ATTORNEY POSITIONS.

20 (a) In this subsection, "state agency" means an office, commission, department,
21 independent agency, or board in the executive branch of state government, excluding
22 the Board of Regents of the University of Wisconsin System.

23 (b) On June 30, 2007, 13.0 FTE attorney positions in all state agencies that are
24 vacant on that date are eliminated. If fewer than 13.0 FTE attorney positions in all
25 state agencies are vacant on June 30, 2007, there are eliminated the requisite

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constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds. Except as required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds.

SECTION 9153. Nonstatutory provisions; veterans affairs.

(1) EDUCATIONAL GRANT PROGRAM EMERGENCY RULES. The department of veterans affairs may promulgate emergency rules under section 227.24 of the statutes implementing section 45.25 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) MASSAGE THERAPISTS AND BODYWORKERS.**(a) Definitions.** In this SECTION:

1. "Board" means the educational approval board.
2. "Department" means the department of regulation and licensing.

(b) *Transfer of transitional duties.* Any application received by the board under 2001 Wisconsin Act 74, section 23 (5) (a) that is pending with the board on the effective date of this paragraph is transferred to the department and all materials submitted to or actions taken by the board with respect to the pending application are considered as having been submitted to or taken by the department.

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number of FTE attorney positions, as identified by the secretary of administration, so that a total of 13.0 FTE attorney positions are eliminated. 2001 Wisconsin Act 74, section 23 (5) (a) that is pending with the board on the effective date of this paragraph is transferred to the department and all materials submitted to or actions taken by the board with respect to the pending application are considered as having been submitted to or taken by the department.

***b0210/1.8* (3k) ASSISTANCE TO NEEDY VETERANS AND FAMILIES EMERGENCY RULES.**

The department of veterans affairs may promulgate an emergency rule under section 227.24 of the statutes implementing section 45.351 (3m) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of an emergency for a rule promulgated under this subsection.

***-0517/P1.9154* SECTION 9154. Nonstatutory provisions; workforce development.**

***b0128/2.19* (1q) ELIMINATION OF GOVERNOR'S WORK-BASED LEARNING BOARD.**

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the department of workforce development that are primarily related to the technical preparation program administered by the governor's work-based learning board that is being transferred to the technical college system board under this act, as determined by the secretary of administration, shall become the assets and liabilities of the technical college system board.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of workforce

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1 development that is primarily related to the technical preparation program
2 administered by the governor's work-based learning board that is being transferred
3 to the technical college system board under this act, as determined by the secretary
4 of administration, is transferred to the technical college system board.

5 (c) *Contracts.*

6 1. All contracts entered into by the department of workforce development or the
7 governor's work-based learning board that are primarily related to the technical
8 preparation program that is being transferred to the technical college system board
9 under this act, as determined by the secretary of administration, and that are in
10 effect on the effective date of this subdivision remain in effect and are transferred to
11 the technical college system board. The technical college system board shall carry
12 out any obligations under such a contract until the contract is modified or rescinded
13 by the technical college system board to the extent allowed under the contract.

14 2. All contracts entered into by the governor's work-based learning board that
15 are primarily related to the youth apprenticeship program under section 106.13 of
16 the statutes, as determined by the secretary of administration, and that are in effect
17 on the effective date of this subdivision, remain in effect and are transferred to the
18 department of workforce development. The department of workforce development
19 shall carry out any obligations under such a contract until the contract is modified
20 or rescinded by the department of workforce development to the extent allowed
21 under the contract.

22 (d) *Rules and orders.*

23 1. All rules promulgated by the governor's work-based learning board that are
24 in effect on the effective date of this subdivision and that are primarily related to the
25 technical preparation program that is being transferred to the technical college

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1 system board under this act, as determined by the secretary of administration,
2 remain in effect until their specified expiration date or until amended or repealed by
3 the technical college system board. All orders issued by the governor's work-based
4 learning board that are in effect on the effective date of this subdivision and that are
5 primarily related to the technical preparation program that is being transferred to
6 the technical college system board under this act, as determined by the secretary of
7 administration, remain in effect until their specified expiration date or until
8 modified or rescinded by the technical college system board.

9 2. All rules promulgated by the governor's work-based learning board that are
10 in effect on the effective date of this subdivision and that are primarily related to the
11 youth apprenticeship program under section 106.13 of the statutes, as determined
12 by the secretary of administration, remain in effect until their specified expiration
13 date or until amended or repealed by the department of workforce development. All
14 orders issued by the governor's work-based learning board that are in effect on the
15 effective date of this subdivision and that are primarily related to the youth
16 apprenticeship program under section 106.13 of the statutes, as determined by the
17 secretary of administration, remain in effect until their specified expiration date or
18 until modified or rescinded by the department of workforce development.

19 (e) *Pending matters.*

20 1. Any matter pending with the governor's work-based learning board on the
21 effective date of this subdivision and that is primarily related to the technical
22 preparation program that is being transferred to the technical college system board
23 under this act, as determined by the secretary of administration, is transferred to the
24 technical college system board, and all materials submitted to or actions taken by the
25 governor's work-based learning board with respect to the pending matter are

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1 considered as having been submitted to or taken by the technical college system
2 board.

3 2. Any matter pending with the governor's work-based learning board on the
4 effective date of this subdivision that is primarily related to the youth apprenticeship
5 program under section 106.13 of the statutes, as determined by the secretary of
6 administration, is transferred to the department of workforce development, and all
7 materials submitted to or actions taken by the governor's work-based learning board
8 with respect to the pending matter are considered as having been submitted to or
9 taken by the department of workforce development.

10 (f) *Positions and employees.*

11 1. The authorized FTE positions for the department of workforce development,
12 funded from the appropriation under section 20.445 (7) (kb), 2003 stats., are
13 decreased by 2.44 PR positions for the purpose of eliminating the governor's
14 work-based learning board.

15 2. The authorized FTE positions for the department of workforce development,
16 funded from the appropriation under section 20.445 (7) (kx), 2003 stats., are
17 decreased by 2.16 PR positions for the purpose of eliminating the governor's
18 work-based learning board.

19 3. The authorized FTE positions for the department of workforce development,
20 funded from the appropriation under section 20.445 (7) (m), 2003 stats., are
21 decreased by 5.4 FED positions for the purpose of eliminating the governor's
22 work-based learning board.

23 4. On the effective date of this subdivision, all incumbent employees holding
24 the positions specified in subdivisions 1. and 2. and all incumbent employees holding

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1 3.2 of the positions specified in subdivision 3. are transferred to the technical college
2 system board.

3 (g) *Employee status.* Employees transferred under paragraph (f) 4. shall have
4 the same rights and status under subchapter V of chapter 111 and chapter 230 of the
5 statutes in the technical college system board that they enjoyed in the department
6 of workforce development immediately before the transfer. Notwithstanding section
7 230.28 (4) of the statutes, no employee so transferred who has attained permanent
8 status in class is required to serve a probationary period.

9 ***b0171/2.4*** (1f) REPORT ON CERTAIN WISCONSIN WORKS RESULTS. Not later than
10 December 1, 2006, the department of workforce development shall submit a report
11 to the joint committee on finance that provides information about all of the following
12 issues related to Wisconsin Works:

13 (a) The success of each Wisconsin Works agency in placing Wisconsin Works
14 participants into unsubsidized jobs.

15 (b) The wages earned by former Wisconsin Works participants.

16 (c) The job retention rate of former Wisconsin Works participants.

17 (d) The results of efforts made by the department of workforce development and
18 each Wisconsin Works agency to ensure that adequate training is provided to all staff
19 persons of the Wisconsin Works agency.

20 (e) The appropriateness and effectiveness of work, education, and training
21 activities into which Wisconsin Works participants are placed by each Wisconsin
22 Works agency.

23 ***b0172/3.30*** (1k) CHILD CARE SUBSIDY COPAYMENTS. The department of
24 workforce development shall increase the copayment amounts specified in the

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1 copayment schedule under section 49.155 (5) of the statutes by 15 percent, beginning
2 with fiscal year 2005-06.

3 ***-0955/10.9155* SECTION 9155. Nonstatutory provisions; other.**

4 ***-0955/10.9155* (1) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.**

5 (a) *Definitions.* In this subsection:

6 1. "Legal staff" means the individuals as determined by the secretary of
7 administration who provide support services for attorneys.

8 2. "State agency" means an office, commission, department, independent
9 agency, or board in the executive branch of state government, except the following:

10 a. The public service commission.

11 b. The public defender board.

12 c. The Board of Regents of the University of Wisconsin System.

13 d. The University of Wisconsin Hospitals and Clinics Board.

14 e. The state of Wisconsin investment board.

15 f. The office of the governor.

16 g. The elections board.

17 h. The ethics board.

18 i. The department of justice.

19 j. The employment relations commission.

20 (b) *State agency attorneys and legal staff.* Except as provided in paragraph (d)
21 and subject to paragraph (e), on the effective date of this paragraph all attorney
22 positions in state agencies and all legal staff positions in state agencies are
23 transferred to the division of legal services in the department of administration.

24 (c) *Department of justice tax litigation attorneys.* On the effective date of this
25 paragraph, 2 attorney positions in the department of justice with duties entailing tax

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litigation are transferred to the division of legal services in the department of administration. The secretary of administration shall identify the positions to be transferred.

(d) *Hearing officers, hearing examiners, and administrative law judges.*

1. Except as provided in subdivision 2. and subject to paragraph (e), on the effective date of this subdivision all positions identified by the secretary of administration as hearing officers, hearing examiners, or administrative law judges are transferred to the division of hearings and appeals in the department of administration.

2. Subdivision 1. does not apply to hearing officers, hearing examiners, or administrative law judges in the department of workforce development.

(e) *Exceptions.* Paragraphs (b) and (d) do not apply to any of the following:

1. State employees working in an office of a district attorney under section 978.12 (1) (b) or (c) of the statutes.

2. One lead attorney in the office of state employment relations whose duties include the negotiation and interpretation of collective bargaining agreements entered into under subchapter V of chapter 111.

3. One attorney position in each of the following state agencies, identified by the secretary of administration as the general counsel or lead attorney position:

- a. Department of administration.
- b. Department of agriculture, trade, and rural resources.
- c. Department of commerce.
- d. Department of corrections.
- e. Department of employee trust funds.
- f. Department of financial institutions.

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g. Department of health and family services.

h. Department of military affairs.

i. Department of natural resources.

j. Department of public instruction.

k. Department of regulation and licensing.

l. Department of revenue.

m. Department of transportation.

n. Department of veterans affairs.

o. Department of workforce development.

p. Office of the commissioner of insurance.

(f) *Incumbents.* All incumbent employees holding positions that are transferred under paragraphs (b), (c), and (d) are transferred on the effective date of this paragraph to the department of administration. Employees transferred under these paragraphs have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in their respective state agencies immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(g) *Materials.* On the effective date of this paragraph, all equipment, supplies, and furniture required for the provision of legal services by employees transferred under paragraphs (b), (c), and (d) are transferred to the department of administration. The secretary of administration shall identify the equipment, supplies, and furniture to be transferred.

-0955/10.9155 (2) LAPSE OR TRANSFER OF CERTAIN APPROPRIATION BALANCES
FROM MONEYS ALLOCATED FOR LEGAL SERVICES TO THE GENERAL FUND.

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1 copayment schedule under section 49.155 (5) of the statutes by 15 percent, beginning
2 with fiscal year 2005–06.”

3 *b0315/P1.12* **1390.** Page 1096, line 3: delete the material beginning on
4 that line and ending on page 1098, line 22, and substitute:

5 *b0315/P1.12* “(1w) ATTORNEY POSITIONS.

6 (a) In this subsection, “state agency” means an office, commission, department,
7 independent agency, or board in the executive branch of state government, excluding
8 the Board of Regents of the University of Wisconsin System.

9 (b) On June 30, 2007, 13.0 FTE attorney positions in all state agencies that are
10 vacant on that date are eliminated. If fewer than 13.0 FTE attorney positions in all
11 state agencies are vacant on June 30, 2007, there are eliminated the requisite
12 number of FTE attorney positions, as identified by the secretary of administration,
13 so that a total of 13.0 FTE attorney positions are eliminated.”

14 *b0315/P1.13* **1391.** Page 1099, line 4: delete “(1) (a) 2.” and substitute
15 “(1w) (a)”.

16 *b0315/P1.14* **1392.** Page 1099, line 6: delete “2005–07 fiscal biennium”
17 and substitute “2006–07 fiscal year”.

18 *b0315/P1.15* **1393.** Page 1099, line 8: delete “biennium” and substitute
19 “year”.

20 *b0313/1.1* **1394.** Page 1100, line 14: after that line insert:

21 *b0313/1.1* “(aq) 1. No later than September 1, 2006, the secretary of
22 administration shall submit a report to the joint committee on finance categorizing
23 the lapses and transfers that occurred under paragraph (a) during the 2005–06 fiscal
24 year by state agency, fund, and appropriation account, and the projected lapses and

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(a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of the APPROPRIATIONS TO STATE AGENCIES, AS DEFINED IN SUBSECTION (1) (A) 2., OTHER THAN SUM SUFFICIENT APPROPRIATIONS AND APPROPRIATIONS OF FEDERAL REVENUES, AN AMOUNT EQUAL TO \$724,900 DURING THE 2006-07 fiscal year. The secretary of administration shall lapse or transfer these moneys from allocations for agency legal services that would have been provided in that fiscal year with funding from those appropriations.

(b) The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation under paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

-1710/4.9155 (3) LAPSE OR TRANSFER OF STATE OPERATIONS APPROPRIATION BALANCES TO THE GENERAL FUND.

(a) 1. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$35,500,000 during the 2005-07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions and for server and network support, from moneys saved as a result of restructuring of procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

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1 2. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as
2 provided in paragraph (b), the secretary of administration shall lapse to the general
3 fund or transfer to the general fund from the unencumbered balances of state
4 operations appropriations, other than sum sufficient appropriations and
5 appropriations of federal revenues, an amount equal to \$55,000,000 during the
6 2007–08 fiscal year and an amount equal to \$55,000,000 during the 2008–09 fiscal
7 year. The secretary of administration shall lapse or transfer these moneys from
8 allocations for human resources and payroll functions and for server and network
9 support, from moneys saved as a result of restructuring procurement contracts and
10 changes to purchasing and procurement functions, and from efficiencies achieved as
11 a result of space management improvements in the 2007–09 fiscal biennium under
12 those appropriations.

13 ***b0313/1.1*** (aq) 1. No later than September 1, 2006, the secretary of
14 administration shall submit a report to the joint committee on finance categorizing
15 the lapses and transfers that occurred under paragraph (a) during the 2005–06 fiscal
16 year by state agency, fund, and appropriation account, and the projected lapses and
17 transfers for the 2006–07 fiscal year by state agency, fund, and appropriation
18 account.

19 2. No later than April 1, 2007, the secretary of administration shall submit a
20 report to the joint committee on finance categorizing the lapses and transfers that
21 occurred under paragraph (a) during the 2005–06 fiscal year by state agency, fund,
22 and appropriation account; specifying the amount of all reimbursements paid by the
23 state to the federal government during the 2005–06 fiscal year by state agency, fund,
24 and appropriation account; and categorizing the projected lapses and transfers for
25 the 2006–07 fiscal year by state agency, fund, and appropriation account.

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1 (b) 1. The secretary of administration may not lapse or transfer moneys to the
2 general fund under paragraph (a) from any appropriation under paragraph (a) if the
3 lapse or transfer would violate a condition imposed by the federal government on the
4 expenditure of the moneys or if the lapse or transfer would violate the federal or state
5 constitution.

6 2. The secretary of administration may not lapse or transfer moneys to the
7 general fund under paragraph (a) from any appropriation under subchapters VII and
8 VIII of chapter 20 of the statutes.

9 ***-1837/2.9155*** (4) STATE AGENCY PAYMENTS RELATING TO UNFUNDED LIABILITIES
10 UNDER THE WISCONSIN RETIREMENT SYSTEM.

11 (a) The definitions in section 20.001 of the statutes are applicable in this
12 subsection, except that “state agency” does not include the department of employee
13 trust funds or the investment board.

14 (b) The secretary of administration shall determine for each state agency the
15 amount that the state agency would have been required to expend under section
16 40.05 (2) (b) and (4) (b), (bc), and (bw) and subchapter IX of chapter 40 of the statutes
17 during the 2005–07 fiscal biennium had the obligations under section 16.527 of the
18 statutes not been issued, and each appropriation from which the moneys would have
19 been expended. The secretary shall exclude from this determination any
20 appropriation from which a lapse or transfer to pay any principal or interest amount
21 on obligations issued under section 16.527 of the statutes would violate a condition
22 imposed by the federal government on the expenditure of the moneys or if the lapse
23 or transfer would violate the federal or state constitution.

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1 (c) From each appropriation identified in paragraph (b), the secretary shall
2 lapse to the general fund or transfer to the general fund the amount specified in
3 paragraph (b) that would otherwise have been expended from the appropriation.

4 ***-1788/P1.9201* SECTION 9201. Appropriation changes;**
5 **administration.**

6 ***-1788/P1.9201*** (1) UTILITY PUBLIC BENEFITS FUND TRANSFER. There is
7 transferred from the utility public benefits fund to the general fund \$18,185,300 in
8 fiscal year 2005-06 and \$16,949,400 in fiscal year 2006-07.

9 ***b0132/2.3*** (1f) WASTE FACILITY SITING BOARD LAPSE. Notwithstanding section
10 20.001 (3) (a) of the statutes, the unencumbered balance in the appropriation account
11 under section 20.505 (4) (k) of the statutes at the end of fiscal year 2005-06 and fiscal
12 year 2006-07 shall lapse to the general fund.

13 ***b0148/3.5*** (1q) LAND INFORMATION AIDS FUNDING LAPSE. There is lapsed to the
14 general fund from the appropriation account under section 20.505 (1) (ij) of the
15 statutes, as affected by this act, \$464,100 on June 30, 2006, and \$420,300 on June
16 30, 2007.

17 ***-0517/P1.9202* SECTION 9202. Appropriation changes; aging and**
18 **long-term care board.**

19 ***-1750/2.9203* SECTION 9203. Appropriation changes; agriculture,**
20 **trade and consumer protection.**

21 ***-0517/P1.9204* SECTION 9204. Appropriation changes; arts board.**

22 ***b0158/1.1*** (1d) APPROPRIATION LAPSES. During the 2005-07 fiscal biennium,
23 the arts board shall lapse to the general fund 5 percent of the total amount
24 appropriated under each of the sum certain general purpose revenue appropriation
25 accounts of the arts board. The amount required to be lapsed from each of those

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1 appropriation accounts may be lapsed in fiscal year 2005–06 or in fiscal year
2 2006–07, or in both fiscal years, so long as 5 percent of the total amount appropriated
3 for the 2005–07 fiscal biennium for each of those appropriation accounts is lapsed to
4 the general fund before the end of the 2005–07 fiscal biennium.

5 ***-0517/P1.9205* SECTION 9205. Appropriation changes; building**
6 **commission.**

7 ***-0517/P1.9206* SECTION 9206. Appropriation changes; child abuse and**
8 **neglect prevention board.**

9 ***-0517/P1.9207* SECTION 9207. Appropriation changes; circuit courts.**

10 ***-1603/6.9208* SECTION 9208. Appropriation changes; commerce.**

11 ***-1603/6.9208*(1) PETROLEUM INSPECTION FUND TRANSFER.** There is transferred
12 from the petroleum inspection fund to the general fund \$10,860,600 in fiscal year
13 2005–06 and \$20,000,000 in fiscal year 2006–07.

14 ***b0256/P2.11*(2n) TECHNOLOGY COMMERCIALIZATION GRANT AND LOAN PROGRAM.**
15 The unencumbered balance in the appropriation account under section 20.143 (1)
16 (ik), 2003 stats., is transferred to the appropriation account under section 20.143 (1)
17 (ie) of the statutes.

18 ***-0246/2.9209* SECTION 9209. Appropriation changes; corrections.**

19 ***b0190/4.3*(1x) JUVENILE CORRECTIONAL SERVICES TRANSFER.**

20 (a) Subject to par. (b), if notwithstanding sections 16.50 (2), 16.52, 20.002 (11),
21 and 20.903 of the statutes there is a deficit in the appropriation account under
22 section 20.410 (3) (hm), 2003 stats., at the close of fiscal year 2004–05, any
23 unencumbered balance in the appropriation account under section 20.410 (3) (ho),
24 2003 stats., at the close of fiscal year 2004–05, less the amounts required under that
25 paragraph to be remitted to counties or transferred to the appropriation account

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1 under section 20.410 (3) (kx) of the statutes, and any unencumbered balance in the
2 appropriation account under section 20.410 (3) (hr), 2003 stats., at the close of fiscal
3 year 2004-05, shall be transferred to the appropriation account under section 20.410
4 (3) (hm) of the statutes, except that the total amount of the unencumbered balances
5 transferred under this paragraph may not exceed the amount of that deficit.

6 (b) If the deficit specified in paragraph (a) is less than the total amount of the
7 unencumbered balances available for transfer under paragraph (a), the total amount
8 transferred from the appropriation accounts under section 20.410 (3) (ho) and (hr),
9 2003 stats., to the appropriation account under section 20.410 (3) (hm) of the statutes
10 under paragraph (a) shall equal the amount of that deficit and the amount
11 transferred from each of those appropriation accounts shall be in proportion to the
12 respective unencumbered balance available for transfer from each of those
13 appropriation accounts.

14 ~~*-0252/2.9209*~~ (2) ~~PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM.~~ The
15 unencumbered balance in the appropriation account under section 20.410 (1) (hm),
16 2003 stats., is transferred to the appropriation account under section 20.410 (1) (km)
17 of the statutes.

18 ~~*-0517/P1.9210*~~ SECTION 9210. Appropriation changes; court of
19 appeals.

20 ~~*-0517/P1.9211*~~ SECTION 9211. Appropriation changes; district
21 attorneys.

22 ~~*-0517/P1.9212*~~ SECTION 9212. Appropriation changes; educational
23 communications board.

24 ~~*-0517/P1.9213*~~ SECTION 9213. Appropriation changes; elections
25 board.